

REMARKS

Claims 4-6 are now pending in the application. Claims 1-3 and 7-9 are cancelled herewith without prejudice or disclaimer of the subject contained therein. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 7 and 9 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 7 and 9 are herewith cancelled, thereby rendering the rejection moot.

REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claim 9 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Claim 9 is cancelled herewith, thereby rendering the rejection moot.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, and 7-9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,509,676 to Fukutake ('676). Claims 1, 2, and 7-9 are cancelled herewith, thereby rendering the rejection moot.

Claims 1-3, and 9 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,380,026 to Robinson ('026). Claims 1-3 and 9 are cancelled herewith, thereby rendering the rejection moot.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 4-6 would be allowable if rewritten in independent form. Accordingly, Applicant has amended claim 4 to include the limitations of the base claim and any intervening claims. Therefore, claims 4-6 should now be in condition for allowance.

CONCLUSION


Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 4-6 in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant hereby petitions for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Terry L. Clark at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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TLC/dab